

REMARKS

Claims 2, 5 and 7 are currently pending. Claims 1, 3, 4 and 6 have been cancelled.

Claim 7 is a new claim, one on which Claims 2 and 5 depend. Support for the present amendments is found on pages 1, line 23 to page 3, line 22; page 5, lines 12-16; Examples 1-3; and page 2, lines 9-11.

Claim 2, as herein amended, is believed to render moot the objection to Claim 2 as discussed in item 3 on page 2 of the Official Action, and not herein repeated. Claim 2 depends from Claim 7, and limits Claim 7 by the percentage limitation imposed on the crystalline nylon element.

The Examiner's rejection of Claims 1-5 (now 2, 5 and 7) is also believed to be moot in view of the claim amendments. The limitation that the "haze of the film ranges from 1.0% to 7.0%" has been deleted in Claim 7. Nevertheless, the Examiner's attention is drawn to page 6, line 6 of the original specification which discloses the previously recited range of the film's haze.

Claims 1-2 have been rejected under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 5,750,262 (Gasse et al.) "as evidenced" [in view of] U.S. Patent No. 6,040,392 (Khanna et al.). The arguments advanced in support of this rejection are discussed in items No. 6 on pages 3-5 of the Official Action and not herein repeated.

Claims 3-5 stand rejected under 35 U.S.C. §103(a) as obvious over Gasse et al. in view of Khanna et al. and further in view of EP 0.792,741 (Naguchi). The arguments advanced in support of this rejection are set forth in items No. "5" [7] on pages 5-6 of the Official Action, and not herein repeated. Applicants respectfully traverse each and every ground of rejection which is not rendered moot by virtue of this amendment.

The present invention is now claimed as a "multilayer film having a metal deposited layer," which clearly distinguishes it over the inventions of Gasse and Khanna, which disclose multilayer films without metal deposited layers.

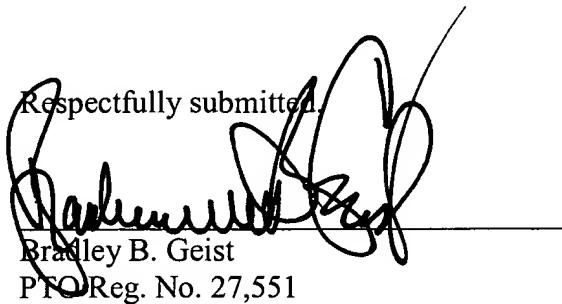
The multilayer film of Gasse is intended for packaging foodstuffs, and, for safety reasons, food-packaging films generally do not include metal deposited layers. Khanna discloses a multilayer film having improved anti-curling properties (column 2, line 53); however, Khanna neither teaches nor suggests including any metal deposited layers in the multilayer film.

The disclosure of Gasse and Khanna would not lead one skilled in the art to a multilayer film having a metal deposited layer as now claimed.

Since Claims 2 and 5 are dependent on Claim 7, and Applicants in good faith believe Claim 7 to be patentable over Gasse et al. and Khanna et al., no further comments are believed necessary, at least as to Claim 5, the rejection of which was based in part on the Noguchi reference. Nevertheless, the subject matter of Claim 5 is a balloon comprising a multilayer film having a metal deposited layer formed as the outermost layer. Unlike the present invention, the invention of Noguchi is intended to provide a film that has no exposed metal deposited layers so as to restrain electrical conductivity (column 2, lines 9-18). In the multilayer film of Noguchi, a second polyolefin resin layer (17), which is externally exposed, covers the metal deposited layer. Since the film of Noguchi has no exposed metal deposited layers to form the surface of a bag body, it clearly differs from the film defined in Claim 5 (and Claim 7) of the present invention. Although Figs. 3 and 4 of Noguchi show laminated films having exposed metal deposited layers on the surface thereof, they are described as undesirable examples of the prior art, which can cause excessive current flow (column 1, line 19 to column 2, line 5). Thus this teaching teaches away from a multilayer film having a metal deposited layer formed as the outermost layer.

such as in the present invention which is counterintuitive to providing any motivation producing the film for forming a vapor deposited balloon of the present invention.

In view of the amendments and remarks hereinabove, Applicants respectfully request consideration of the pending claims.

Respectfully submitted,  
  
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